IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.2389 OF 2005

IN

CRIMINAL WRIT PETITION NO.385 OF 2004

Shri Pradeep Singh : Petitioner.

versus

The State of Maharashtra & Anr. : Respondents.

Mr.Vinayak Shete h/f Ms.Poorvi Kamani for the petitioner.

Dr.F.R.Shaikh, APP, for State.

CORAM : D.G.DESHPANDE,J.

DATED : 31st July 2006.

ORAL ORDER

1. This application for modification of the order dated 25th January 2005. Liberty was granted to the petitioner by that order, which is at page 11 of this application and was exempted from personal appearance in C.C.38/S/99 subject

to the petitioner's executing bail bond in the sum of Rs.1,00,000/- with one surety in the like amount or two sureties for Rs.50,000/- each. The counsel for the petitioner states that the petitioner is now staying at Delhi and it is not possible for him to furnish surety and the bond, therefore, amount should be reduced. Therefore, considering the facts, the order is modified. The petitioner to furnish a bond of Rs.25,000/- with one or two sureties in the like amount.

2. In fact, the very purpose of filing the main petition was to get relief of exemption from personal appearance before the Magistrate. No other point was involved or raised in the main petition as stated by the advocate for the petitioner. Ad interim relief is itself as good as final relief because that was the only prayer. Therefore, the learned counsel for the petitioner and learned APP for Respondent No.1 state that there is no point in keeping the petition pending. In this view of the matter, Rule is made absolute. The Writ Petition is also disposed of. This order is also to be treated as an order in the Writ Petition.

[D.G.DESHPANDE,J]